

U.S. Patent Application Serial No. 10/009,337  
Reply to Office Action dated August 26, 2004

### REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1-3, 5-7, and 9-11 are hereby amended. No new matter has been added. Claims 1-3, 5-7, and 9-11 are amended editorially.

Amendments of claims 1, 10, and 11, specifying that the intensity limiter "passively" decreases the intensity of the beam, are supported on page 10, lines 8-11 and page 11, lines 3-11.

Claims 1-9 were rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants traverse this rejection. Claims 1, 2 and 5 are amended in accordance with the suggestions of the Examiner. Favorable reconsideration of claims 1-9 is requested.

Claims 1-11 were rejected as being unpatentable over Barrett (US 5,257,274 A) in view of Rhoads (US 5,661,594 A). Applicants traverse this rejection. Barrett does not teach a passive "intensity limiter" where the laser beam transmission coefficient decreases as the beam intensity increases. "Passively" corresponds to intrinsic properties of the plate. In contrast, the Barrett Q-switch would be known to one skilled in the art as an active device, which reduces the pulse duration of the oscillator (Pockels cell).

Further, the Q-switch of Rhoads does not overcome the deficiencies of Barrett. The Rhoads Q-switch is comprised of a Frequency Filter Surface (FFS). The GaAs plate cannot be used alone. It requires a FFS deposit on the GaAs plate. The laser beam is reflected on the FFS and the GaAs plate is illuminated by a short pulse. In contrast, the "GaAs, CdSe, or InP plate" of claim 1 is simply polished and used without any FFS deposit or any illumination source. The beam is transmitted through the plate. Further, Rhoads teaches that the Q-switch exploits the reflectivity properties of the GaAs plate. This is in contrast to the "intensity limiter" of claim 1 which takes advantage of its bulk transmission properties.

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Favorable reconsideration of claims 1-11 is requested.

In view of the above, favorable reconsideration in the form of a notice of allowance is requested. Any questions regarding this communication can be directed to the undersigned attorney, John J. Gresens, Reg. No. 33,112, at (612)371-5265.

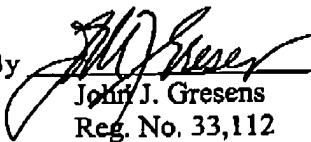


Respectfully submitted,

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